IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION No. 18648 of 1996

Between:

The Parents Committee of the Z.P. Secondary School
rep. by its President, P. Jagga Rao
Mogullapalli (V) & (M), Warangal Dist.

..... PETITIONER

AND

1 The Chairman, Zilla Parishad,
Warangal, Waranagal District.
2 The Chief Executive Officer,
Zilla Parishad, Warangal.
3 The Head Master, Zilla Parishad Secondary School
Mogullapalli (V) & (M), Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an Order, direction or a writ more particularly a writ the nature of 'Mandamus' declaring the mutual transfers/request transfers of the four teachers together with the post held by them as surplus by proceedings No.C2/2661/96 and C2/2662/96, dt: 18-7-1996, they are dispatched through ordinary post on or after 23-7-1996 from the Zilla Parishad Secondary School, Mogullapalli to some other School in the District are arbitrary, illegal, voilative of the A.P. Mandal Praja Parishad and Zilla Praja parishad Teachers (Regulation of transfers) rules, 1995 and the nicknet message No.3318/SER.VI.A1/96-1, Edn., dated 10-7-1996 and the principles of natural Justice and to quash the same consequently.

Counsel for the Petitioner : Mr.P.PRATAP REDDY

Counsel for Respondents : Mr.P.RAGHAVENDER REDDY
(SC FOR ZILLA PARISHAD)

The Court made the following :

ORDER:

Heard the learned counsel for petitioner and the learned Standing Counsel for respondents.

The writ petition is filed by the Parents Committee of Zilla Parishad Secondary School, Mogullapalli village and mandal, Warangal District, represented by its President seeking writ of Mandamus declaring the mutual transfers/request transfers of four teachers together with the post held by them as surplus by Proceedings No.C2/2661/96 and C2/2662/96 dated 18.7.1996 and 23.7.1996 respectively as arbitrary and illegal.

It is the case of the petitioner that under the impugned proceedings, two School Assistants and two Language Pandits were transferred deeming them to be surplus from the Zilla Parishad Secondary School, Mogullapalli to vacant and re-adjustment of surplus posts to needy schools in the middle of the academic year is in violation of statutory rules.

A detailed counter affidavit has been filed by the respondents denying the allegations made by the petitioner. It is also further stated that this Court dismissed the Writ Petition No.15143 of 1996 filed by the Parents Committee of Z.P.S.S., Tandoor. It is asserted in the counter affidavit that for the purpose of readjustment of surplus staff, transfers were effected and the said Teachers were already relieved by the Headmaster of Z.P.S.S., Mogullapally on 31.7.1996 and even otherwise, the grievance of the Parents Committee that Teachers are being transferred in the middle of the academic year, and the same is hampering to the classes conducted by them, that was during the academic year 1996-97. The writ petition has outlived its purpose and due to efflux of time, it has become infructuous and the same is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

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C.V.RAMULU, J

Date: 15.2.2005

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To

1 The Chairman, Zilla Parishad, Warangal, Waranagal District.
2 The Chief Executive Officer, Zilla Parishad, Warangal.
3 The Head Master, Zilla Parishad Secondary School
Mogullapalli (V) & (M), Warangal District.
4 Two CD copies.

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